

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS - Revenue department .-Guntur District - Issue of Agriculture Transportation certificate for Chillies - Disciplinary action U/r 9 of APRP Rules, 1980 against Sri N. Adinarayana, former Mandal Revenue Officer, Nakirekallu - A.O.Cs communicated - Explanation not submitted - Enquiry ordered by appointing DRO - Enquiry Report Submitted - Further action dropped - Orders - Issued.

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REVENUE(VIG.II) DEPARTMENT

G.O.Ms.No. 753

Dated: 13.08.2010

Read the following;

- 1.The District Collector, Guntur Dist Rc.No.3677/2002-A4, Dt.19.09.2002.
- 2.G.O.Ms.No.995 REV (VIG.II) DEPT, DT.24.05.2005
- 3.G.O.Rt.No.1020 REV (VIG.II) DEPT, DT.24.05.2005
- 4.Orders of A.P.A.T on O.A.No.9243 of 2009.
5. G.O.Rt.No.1678 REV (VIG.II) DEPT, DT.27.11.2009
6. Orders of A.P.A.T in C.A No.846/2010 in O.A.No.9243./2009
7. From the D.R.O and Enquiry Officer Lr.Rc.No.3677/2002-A4, dt. 30.07.2010

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ORDER:

It was brought to the notice of the Government that the checking's conducted by the Commercial Tax Officer, Main Bazar, Guntur on certain Transportation lorries, revealed that certain traders were transporting chillies to other States on the strength of certificates issued by the Revenue Officials to the effect that chillies were being transported by the Ryots themselves for sale in other states and thereby avoiding payment of Taxes to Government. The Collector further reported that the verifications conducted by the Commercial Tax Department revealed that the Revenue officials have been issuing certificates for transportation of Agriculture products without verifying the facts and in two cases the traders themselves are transporting chillies in the name of Ryots on the strength of certificates issued by Mandal Revenue Officer, Nakirekally and Mandal Revenue Officer, Machavaram in Guntur District. The Collector, has requested to take necessary action against Sri M.Adinarayana, former Mandal Revenue Officer Nakirekallu, Guntur District under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 as he retired from service.

2. Accordingly Government vide G.O 2nd read above, have accorded permission to initiate departmental action against Sri M. Adinarayana, formerly Mandal Revenue Officer, Nekarikallu. In the G.O 3rd read above, Article of Charges were communicated to the A.O for submitting his defence against the Article of Charges. The Accused Officer has not submitted his explanation, instead of submitting the explanation, the Accused Officer has filed O.A No.9243 of 2009 in the Andhra Pradesh Administrative Tribunal for sanction and release of all pensionary benefits.

3. The Hon'ble Andhra Pradesh Administrative Tribunal vide their orders 4th read above directed the Department to complete the departmental enquiry against the applicant within a period of four months from the date of receipt of orders.

4. In the G.O 5th read above, Government have appointed District Revenue Officer, Guntur as Enquiry Officer to enquire into the matter and Revenue Divisional Officer, Narsaraopet as Presenting Officer to present the

case with a direction to the Enquiry Officer to complete and submit the Enquiry Report within a period of one month. The Enquiry Officer in his letter 6th read above, has submitted his enquiry report concluding that the charge is proved.

5. Government, after careful examination of the enquiry report and record available with Government, observed that the Commercial Tax Dept have already collected Rs.25,000/ as tax and Rs.1,25,000/- as penalty which is 5 times the tax due from the tax evading dealers of two lorries. The Enquiry Officer has submitted a perfunctory report without verification of the relevant revenue records pertaining to the two farmers on the report of the Panchayat Secretary of the concerned village basing on which the Accused officer claimed that he issued the impugned certificates. He seems to have merely relied upon the report of the then Deputy Commissioner (Commercial Tax). The defence plea raised by the Accused Officer has therefore not been substantively rebutted by the Enquiry Authority.

6. In the light of the above, Government have decided to drop further action in the disciplinary case against Sri N. Adinarayana, former Mandal Revenue Officer, Nakrekallu. Government also order to release all pensionary benefits due to him. Accordingly it is hereby ordered that further action in the disciplinary case against Sri N. Adinarayana, M.R.O (Retd), Guntur district be dropped. The Collector, Guntur is requested to settle all his pensionary benefits immediately and report compliance to the Government.

7. The Chief Commissioner of Land Administration, Hyderabad / Collector, Guntur are requested to take action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri N. Adinarayana, M.R.O (Retd), Guntur District
(through the CCLA, Hyderabad)
The Chief Commissioner of Land Administration, Hyderabad
Copy to :
1.The Collector, Guntur District.
2.Government Pleader for Rev (S), A.P.A.T, Hyderabad.

// Forwarded by Order //

SECTION OFFICER